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A Limited Liability Partnership

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Attorneys for Plaintiff PACIFIC STOCK, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

PACIFIC STOCK, INC.,	)	CIVIL NO. CV04-00725 JMS/LEK
	)	(Copyright Infringement)
Plaintiff,)	
	)	NOTICE OF HEARING; PLAINTIFF
vs.	)	PACIFIC STOCK, INC.'S MOTION
	)	FOR SANCTIONS AGAINST
SOLTUR, INC., a Hawaii	)	DEFENDANTS SOLTUR, INC.;
corporation; GIGI FIORENTINO,	)	GIGI FIORENTINO, Individually;
individually; LUIS ZANOTTA,	)	AND LUIS ZANOTTA, Individually
individually,	)	FOR FAILURE TO RESPOND TO
	)	DISCOVERY; MEMORANDUM IN
Defendants.	)	SUPPORT OF MOTION;
	)	DECLARATION OF J. STEPHEN
	)	STREET (Containing Certificate of
	)	Compliance with Rule 37 Fed. R. Civ.
	)	P. and LR 37.1 at ¶15); EXHIBITS
	)	"A"– "F"; CERTIFICATE OF
	)	SERVICE

)
)
) TRIAL:
)

) Date: April 18, 2006
)

) Time: 9:00 a.m.
)

) Judge: Hon. J. Michael Seabright
)
)
)

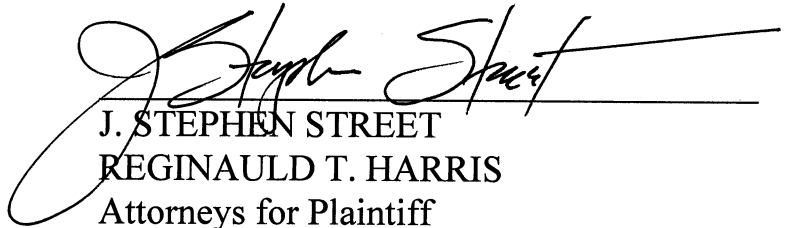
NOTICE OF HEARING

TO: SIDNEY MICHAEL QUINTAL, ESQ.
1600 Ala Moana Blvd., Suite 4000
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Attorney for Defendants SOLTUR, INC.,
GIGI FIORENTINO, and LUIS ZANOTTA

NOTICE IS HEREBY GIVEN that Plaintiff PACIFIC STOCK, INC.'S Motion for Sanctions Against Defendants Soltur, Inc., Gigi Fiorentino, Individually, and Luis Zanotta, Individually for Failure to Respond to Discovery shall come on for hearing before the Honorable J. Michael Seabright, in his courtroom in the United States Courthouse, 300 Ala Moana Boulevard, Honolulu, Hawaii, on Tuesday, April 18, 2006, at 10:00 o'clock a.m., or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii, April 12, 2006.


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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

PACIFIC STOCK, INC.,)	CIVIL NO. CV04-00725 JMS/LEK
	)	(Copyright Infringement)
Plaintiff,)	
	)	PLAINTIFF PACIFIC STOCK,
vs.	)	INC.'S MOTION FOR SANCTIONS
	)	AGAINST DEFENDANTS SOLTUR,
SOLTUR, INC., a Hawaii	)	INC.; GIGI FIORENTINO,
corporation; GIGI FIORENTINO,	)	Individually; AND LUIS ZANOTTA,
individually; LUIS ZANOTTA,	)	Individually FOR FAILURE TO
individually,	)	RESPOND TO DISCOVERY
)	
Defendants.)	
)	
)	

**PLAINTIFF PACIFIC STOCK, INC.'S MOTION FOR
SANCTIONS AGAINST DEFENDANTS SOLTUR, INC.;
GIGI FIORENTINO, Individually; AND LUIS ZANOTTA,
Individually FOR FAILURE TO RESPOND TO DISCOVERY**

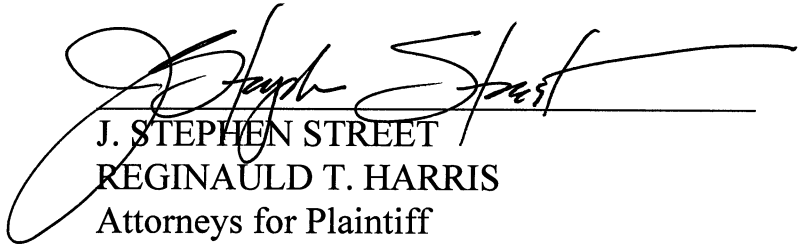
Pursuant to Rule 37 of the Federal Rules of Civil Procedure (Fed. R. Civ. P.), Plaintiff PACIFIC STOCK, INC. ("Plaintiff"), moves for sanctions against Defendants Soltur, Inc.; Gigi Fiorentino, Individually; and Luis Zanotta, Individually for Failure to Respond to Plaintiff's Discovery Requests.

Specifically, Plaintiff seeks an order from the Court establishing as a finding of fact for the purposes of trial of this matter that individual Defendants Gigi Fiorentino and Luis Zanotta received sufficient direct financial benefit from the copyright infringement conducted by Defendant Soltur, Inc. to establish their vicarious liability for the infringement as a sanction imposed pursuant to Rule 37(b)(2)(A) Fed. R. Civ. P. This sanction is warranted because of Defendants' ongoing failure to respond to Plaintiff's discovery requests seeking information directly related to the vicarious liability of individual Defendants Gigi Fiorentino and Luis Zanotta, despite two orders of the Court compelling such discovery. Plaintiff also asks that it be awarded its attorney's fees and costs incurred in bringing this motion for sanctions pursuant to Rule 37(a)(4) Fed. R. Civ. P.

Plaintiff's counsel certifies that he has met and conferred with Defendants' counsel pursuant to Rule 37(a)(2) Fed. R. Civ. P. and Local Rule 37.1. and that Defendants' failure to comply with discovery requests has been addressed at two Court appearances before the District Court (on February 8 and April 11, 2006) and at the hearing on Plaintiff's Motion For Sanctions before Magistrate Judge Leslie Kobayashi on March 7, 2006. However, Defendants have continued to refuse to produce any of the requested discovery. See, Declaration of J. Stephen Street at ¶ 15.

This Motion is based upon Rule 37 Fed. R. Civ. P., Local Rule 37.1, the pleadings, the record to date and the memorandum in support, the Declaration and exhibits attached hereto and made a part hereof, and such further matters as may be brought forth following an order by the Court directing Defendants to show cause as to why Plaintiff should not be granted the relief it seeks in this motion for sanctions for discovery abuses.

DATED: Honolulu, Hawaii, April 12, 2006.



J. STEPHEN STREET
REGINAULD T. HARRIS
Attorneys for Plaintiff
PACIFIC STOCK, INC.